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7 **UNITED STATES DISTRICT COURT**

8 **DISTRICT OF NEVADA**

9 TAYLOR M. DIGGS, an individual,

Case No.: 2:18-cv-2114

10 Plaintiff,

11 vs.

**Stipulation and Order to Amend
Complaint**

12 FEDEX OFFICE AND PRINT SERVICES,
INC., a foreign corporation; DOE
13 INDIVIDUALS 1 through 10, inclusive; ROE
CORPORATIONS 11 through 20; and ABC
14 LIMITED LIABILITY COMPANIES 21
through 30, inclusive,

15 Defendants.

16 FedEx Office and Print Services, Inc. removed this matter on November 2, 2018 and moved
17 to dismiss cause of action three. The parties stipulate that Plaintiff may file an amended complaint
18 that eliminates this cause of action, instead incorporating it within the first cause of action. The
19 result is the amended complaint will have two causes of action. Plaintiff will not be required to re-
20 serve the amended complaint.

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Further, as a result of this stipulation, FedEx Office's motion to dismiss (ECF No. 3) is moot.

DATED this 7 th day of November, 2018	DATED this 7 th day of November, 2018
WILSON ELSEER MOSKOWITZ EDELMAN & DICKER LLP	NETTLES LAW FIRM
<u>/s/ Michael P. Lowry</u> Michael P. Lowry, Esq. Nevada Bar No. 10666 300 South Fourth Street, 11 th Floor Las Vegas, Nevada 89101-6014 Tel: 702.727.1400/Fax: 702.727.1401 Attorneys for FedEx Office and Print Services, Inc.	<u>/s/ Jennifer A. Peterson</u> Brian D. Nettles, Esq. Nevada Bar No. 7462 Jennifer A. Peterson, Esq. Nevada Bar No. 11242 1389 Galleria Drive, Suite 200 Henderson, Nevada 89014 Attorneys for Taylor M. Diggs

IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

DATED: November 8, 2018

CERTIFICATE OF SERVICE

Pursuant to FRCP 5, I certify that I am an employee of Wilson Elser Moskowitz Edelman & Dicker LLP, and that on November 7, 2018, I served **Stipulation and Order to Amend Complaint** via electronic means by operation of the Court's electronic filing system, upon each party in this case who is registered as an electronic case filing user with the Clerk;

BY: /s/ Michael P. Lowry
An Employee of WILSON ELSEER MOSKOWITZ
EDELMAN & DICKER LLP